

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

OUTERBRIDGE ACCESS ASSOCIATION,  
Suing on behalf of DIANE CROSS;  
and DIANE CROSS, An Individual,

Plaintiffs,

v.

MARIE CALLENDER'S PIE SHOPS, INC.  
d.b.a. MARIE CALLENDER'S #254;  
PACIFIC BAGELS, LLC d.b.a.  
BRUEGGARS BAGELS; COURTYARD  
HOLDINGS, LP; PSS PARTNERS, LLC;  
AND DOES 1 THROUGH 10, Inclusive,

Defendants.

Case No.: 07cv2129 BTM (AJB)

~~[PROPOSED]~~ ORDER GRANTING THE  
JOINT MOTION AND MOTION TO  
DISMISS ONLY DEFENDANT MARIE  
CALLENDER'S PIE SHOPS, INC.  
d.b.a. MARIE CALLENDER'S #254  
WITH PREJUDICE FROM  
PLAINTIFFS' COMPLAINT.


[Fed.R.Civ.P. Rule 41(a)(2)]

IT IS HEREBY ORDERED pursuant to the Joint Motion Brought by  
OUTERBRIDGE ACCESS ASSOCIATION, Suing on behalf of DIANE CROSS;  
and DIANE CROSS, An Individual Plaintiffs, and Defendant MARIE  
CALLENDER'S PIE SHOPS, INC. d.b.a. MARIE CALLENDER'S #254 on the  
other hand, through their respective attorneys of record that  
ONLY Defendant MARIE CALLENDER'S PIE SHOPS, INC. d.b.a. MARIE

1 CALLENDER'S #254 is dismissed with prejudice from Plaintiffs'  
2 Complaint, Case Number: 07cv2129 BTM (AJB). Additionally,  
3 dismissal of ONLY Defendant MARIE CALLENDER'S PIE SHOPS, INC.  
4 d.b.a. MARIE CALLENDER'S #254 shall not affect the continuing  
5 litigation with the remaining Defendants.

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7 **IT IS SO ORDERED.**

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9 Dated: March 11, 2008

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11 HONORABLE BARRY TED MOSKOWITZ  
12 UNITED STATES DISTRICT COURT JUDGE  
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